

REMARKS

The Final Office Action mailed July 18, 2005, and the Advisory Action mailed September 14, 2005, have been received and reviewed. Claims 22-41 and 47-53 are currently pending in the application. Claims 33, 34, 50, and 51 are allowed. Claims 22, 24-26, 31, 32, 35, 36, 38, 39, 47-49, 52, and 53 stand rejected. Claims 23, 27-30, 37, 40, and 41 have been objected to as being dependent upon rejected base claims, but the indication of allowable subject matter in such claims is noted with appreciation. Applicants propose to cancel claims 22, 24, 25, 26, 31, 32, 36, 37, 47-49, 52 and 53, amend claims 23, 27, 29, 35, 38, 40 and 50, and respectfully request reconsideration of the application as proposed to be amended herein.

Claims 23, 27, 29, 35 and 40 are proposed to be amended into appropriate independent form in consequence of the subject matter indicated to be allowable by the Examiner.

Claim 38 is proposed to be amended to depend from claim 35.

Claim 50 is proposed to be amended to correct the informality noted by the Examiner.

No new matter has been added.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent No. 4,502,553 to Park et al.

Claims 22, 24, 26, and 52 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Park et al. (U.S. Patent No. 4,502,553). Claims 22, 24, 26 and 52 have been canceled, rendering moot the rejection thereof.

Anticipation Rejection Based on U.S. Patent No. 4,312,414 to Park

Claim 47 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Park (U.S. Patent No. 4,312,414). Claim 47 has been canceled, rendering moot the rejection thereof.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on U.S. Patent No. 4,502,553 to Park et al. in View of U.S. Patent No. 5,107,942 to Radford

Claims 25, 31, 32, 48, and 49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Park et al. (U.S. Patent No. 4,502,553) in view of Radford (U.S. Patent No. 5,107,942). Applicants respectfully traverse this rejection, as hereinafter set forth.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Claims 25, 31, 32, 48 and 49 have been canceled, rendering moot the rejection thereof.

Obviousness Rejection Based on U.S. Patent No. 4,502,553 to Park et al. in View of U.S. Patent No. 5,107,942 to Radford

Claims 35, 36, 38, 39, and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Park et al. (U.S. Patent No. 4,502,553) in view of Radford (U.S. Patent No. 5,107,942). Claim 35 has been amended to incorporate the subject matter of claim 37 and of intervening claim 36 (now canceled), and is now allowable. Claim 38 has been amended to depend from claim 35, and is now allowable. Claims 39 depends from claim 35, and is now allowable.

Objections to Claims 23, 27 through 30, 37, 40, and 41/Allowable Subject Matter

Claims 23, 27 through 30, 37, 40, and 41 stand objected to as being dependent upon rejected base claims, but are indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form.

Claims 23, 27 and 29 have been placed into independent form, incorporating the subject matter of claim 22 prior to the presently proposed amendments thereto. The subject matter of claim 37, and of claim 36, has been incorporated into independent claim 35. The subject matter of claim 35 prior to the presently proposed amendments thereto has been incorporated into claim 40, now in independent form.

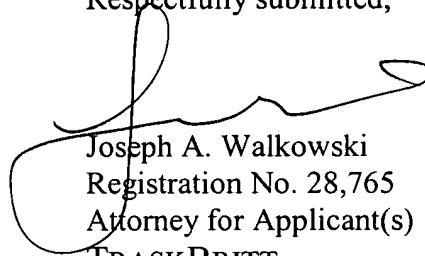
ENTRY OF AMENDMENTS

The proposed amendments to claims 23, 27, 29, 35, 38, 40 and 50 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, the amendments do not raise new issues or require a further search and merely accept the subject matter proffered as allowable by the Examiner. Finally, if the Examiner determines that the amendments do not place the application in condition for allowance, entry is respectfully requested upon filing of a Notice of Appeal herein.

CONCLUSION

Claims 23, 27-30, 33-35, 38-41, 50 and 51 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joseph A. Walkowski', is written over the typed name and address.

Joseph A. Walkowski
Registration No. 28,765
Attorney for Applicant(s)
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: October 17, 2005
JAW/djp:slm
Document in ProLaw